

Exhibit 3 to the Complaint.

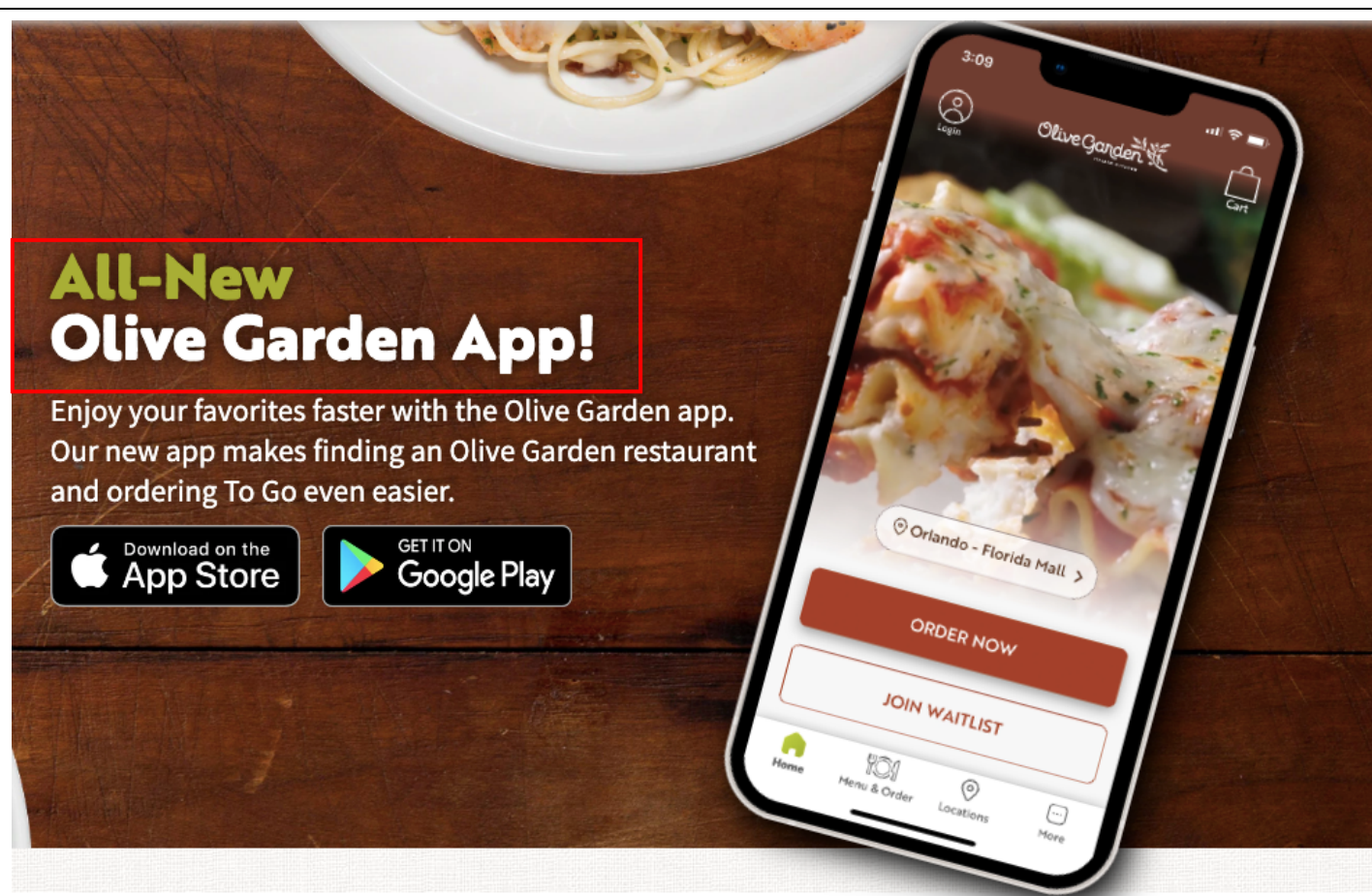
U.S. Patent No. US 8,799,083 v. Darden
Subsidiary “Olive Garden” Exemplary Infringement
Claims 1, 2, 4, 5, 7, 8, 11, 12

Exhibit 3 to the Complaint.

1. Claim Chart

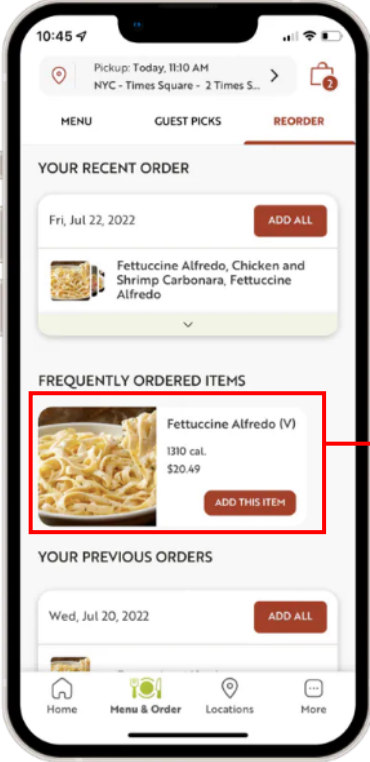
Claim	Analysis
<p>[1.P] A method, comprising: receiving at least one request of at least one service related to a restaurant menu from a mobile phone;</p>	<p>Olive Garden (“Company”) performs and/or induces others to perform a method comprising: receiving at least one request of at least one service related to a restaurant menu from a mobile phone.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Company provides an Olive Garden application which is installed on various devices such as smartphones, and tablets (“mobile phone”). Further, the application allows users to perform various functionalities such as finding nearby Olive Garden locations, viewing menus, and making reservations. Additionally, the application allows users to order a meal from the restaurant menu displayed within the application ("receiving at least one request of at least one service related to a restaurant menu").</p>  <p>Source: https://www.darden.com/</p>

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Source: <https://www.olivegarden.com/app>

Exhibit 3 to the Complaint.



QUICK ORDER & REORDER

- Easily order your favorites To Go
- Save your order on the app for later
- Reorder your favorites with just a few taps

ORDER YOUR FAVORITES

receiving at least one request of at least one service related to a restaurant menu

Source: <https://www.olivegarden.com/app> (annotated)

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.

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[1.1]
uploading, by
a system of a
restaurant, a
bill for the at
least one
service to the
mobile
phone; and

Company performs and/or induces others to perform a method of uploading, by a system of a restaurant, a bill for the at least one service to the mobile phone.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, after completion of the order, the user receives the bill for the ordered meal (“bill for the at least one service”) through the Olive Garden application (“a system of a restaurant”) installed on the user’s smartphone.

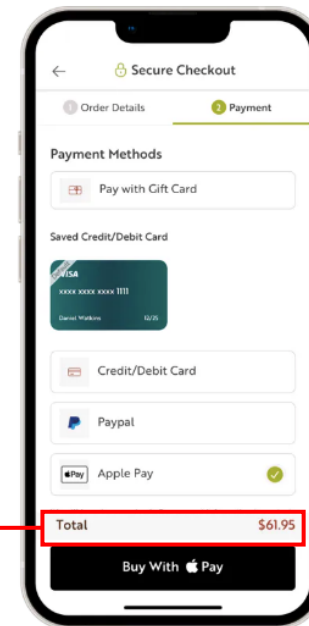
PAYMENTS & GIFT CARDS

- Order faster and save your preferred payment
- Use, save and reload gift cards to your profile

CREATE AN ACCOUNT



Bill for the at least
one service



Source: <https://www.olivegarden.com/app> (annotated)

Further, to the extent this element is performed at least in part by Defendant’s software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.

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[1.2]
performing a self-checkout by a at least one customer whereby payment for the at least one service is submitted by the at least one customer via the mobile phone to the system, wherein the payment is submitted without interaction with staff associated with the restaurant.

Company performs and/or induces others to perform a method of performing a self-checkout by at least one customer whereby payment for the at least one service is submitted by the at least one customer via the mobile phone to the system, wherein the payment is submitted without interaction with staff associated with the restaurant.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, once the user receives the bill, the application allows the user to pay the bill through a secure checkout option (“self-checkout by at least one customer”) where the user pays the bill without interaction with the staff associated with the restaurant.

PAYMENTS & GIFT CARDS

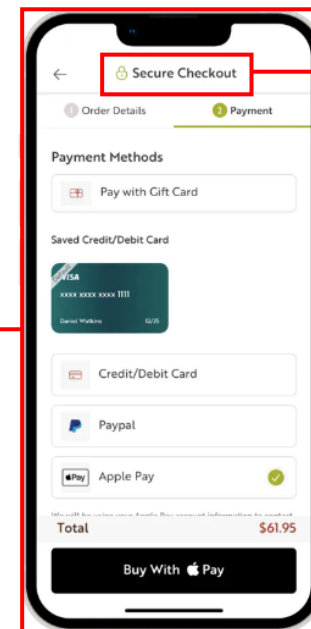
- Order faster and save your preferred payment
- Use, save and reload gift cards to your profile

CREATE AN ACCOUNT



Source: <https://www.olivegarden.com/app> (annotated)

payment for the at least one service is submitted via the mobile phone



self - checkout

Further, to the extent this element is performed at least in part by Defendant’s software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.

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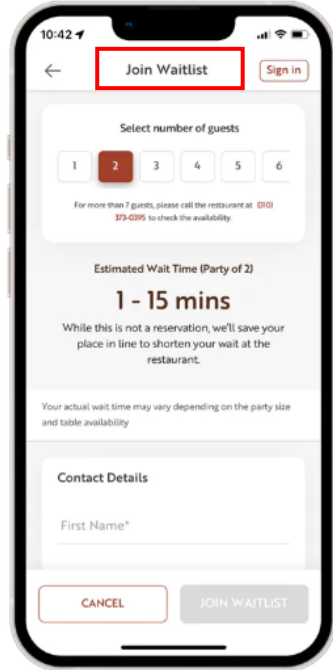
<p>[2] The method of claim 1 comprising placing the at least one customer on a waiting list for a table.</p>	<p>Company performs and/or induces others to perform the method of claim 1 comprising placing the at least one customer on a waiting list for a table.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, in the Olive Garden application, when the user selects one of the Olive Garden restaurants, the user is placed on the restaurant's waiting list.</p> <div data-bbox="443 634 968 732"> <h2>JOIN THE WAITLIST</h2> </div> <div data-bbox="457 743 1071 950"> <ul style="list-style-type: none"> • Check the current wait times for your Olive Garden • Quickly add your name to the waitlist • When you arrive, check in with the host • Your table may not be ready immediately upon arrival, but your spot on the waitlist will get you seated sooner </div> <div data-bbox="468 979 804 1055"> <p>CHECK WAIT TIMES</p> </div> <div data-bbox="961 1040 1276 1203">  </div> <div data-bbox="1507 537 1837 1203">  </div> <p>Source: https://www.olivegarden.com/app</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.</p>
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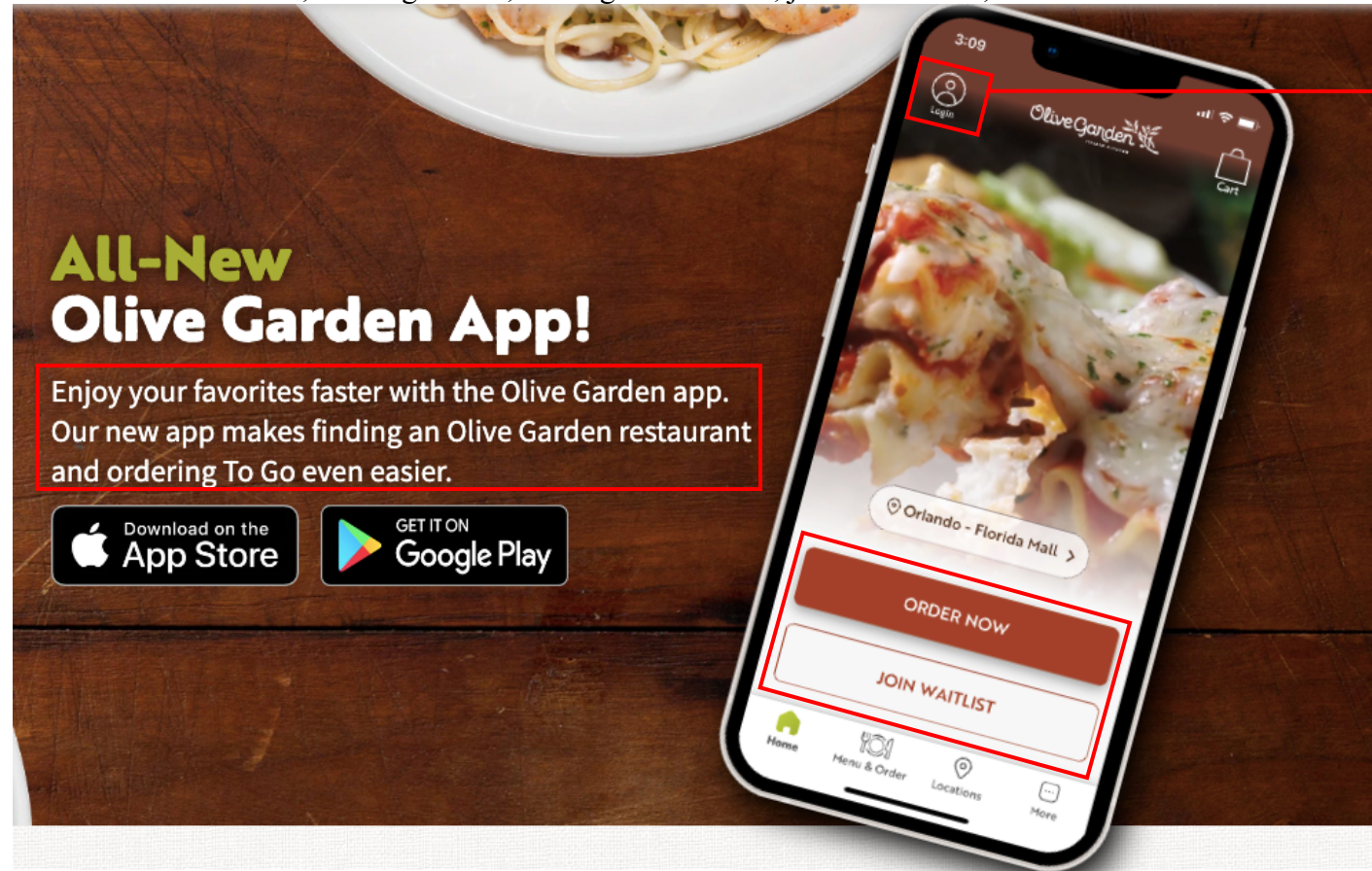
Exhibit 3 to the Complaint.

[4] The method of claim 1, comprising logging the at least one customer into the system with the mobile phone.

Company performs and/or induces others to perform the method of claim 1, comprising logging the at least one customer into the system with the mobile phone.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, the Olive Garden application allows the user to sign in and access various options such as finding nearby Olive Garden locations, viewing menus, making reservations, join the waitlist, and order a food.



logging the at least one customer into the system

Source: <https://www.olivegarden.com/app> (annotated)

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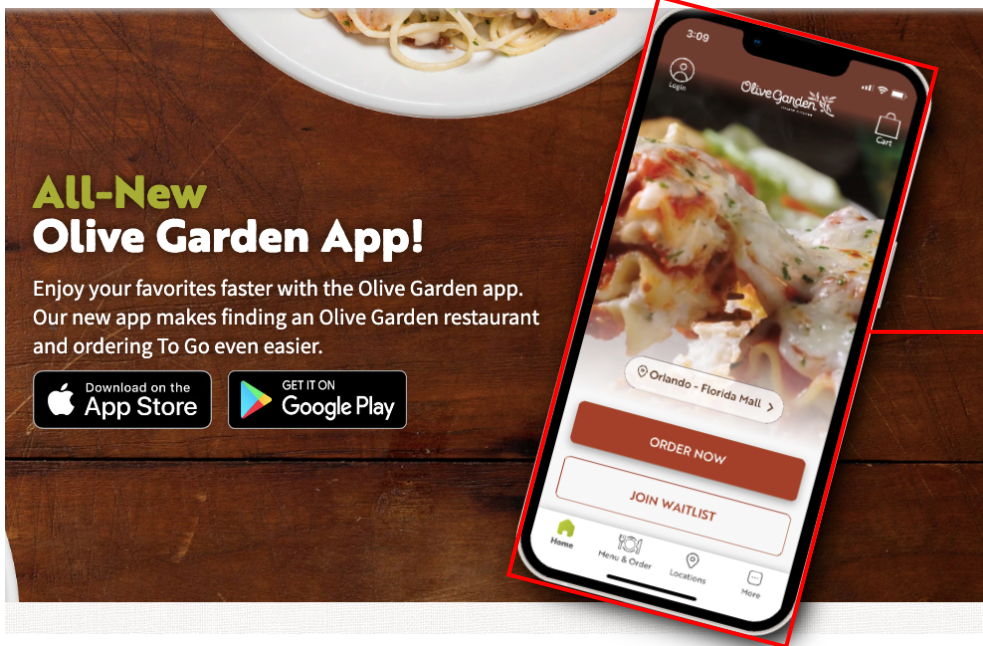
	<p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.</p>
<p>[5] The method of claim 1, wherein the mobile phone is implemented in a wireless-enabled handheld computer.</p>	<p>Company performs and/or induces others to perform the method of claim 1, wherein the mobile phone is implemented in a wireless-enabled handheld computer.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the Olive Garden application is installed on various devices such as smartphones, and tablets which are wireless-enabled handheld computers.</p> <div data-bbox="409 649 1386 1291">  </div> <p>wireless enabled handheld computer.</p> <p>Source: https://www.olivegarden.com/app (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.</p>

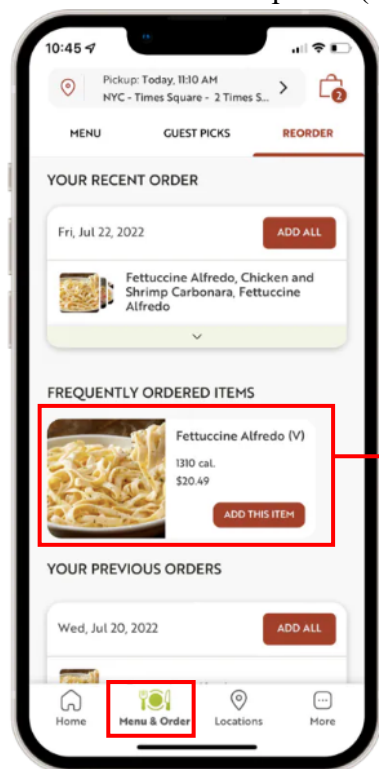
Exhibit 3 to the Complaint.

[7] The method of claim 1, wherein the restaurant menu is sent to the mobile phone via the system.

Company performs and/or induces others to perform the method of claim 1, wherein the restaurant menu is sent to the mobile phone via the system.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, the application allows the user to order a meal from the restaurant menu displayed in the application installed on the smartphone (“restaurant menu is sent to the mobile phone via the system”).



QUICK ORDER & REORDER

- Easily order your favorites To Go
- Save your order on the app for later
- Reorder your favorites with just a few taps

ORDER YOUR FAVORITES

restaurant menu
displayed on the
smartphone.

Source: <https://www.olivegarden.com/app> (annotated)

Further, to the extent this element is performed at least in part by Defendant’s software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.

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[8] The method of claim 1, wherein the restaurant includes a self-checkout and payment processing system that uploads the bill, the method further comprising capturing, by the self-checkout and payment processing system, payment of the bill.

Company performs and/or induces others to perform the method of claim 1, wherein the restaurant includes a self-checkout and payment processing system that uploads the bill, the method further comprising capturing, by the self-checkout and payment processing system, payment of the bill.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, after completion of the order, the application allows the user to pay the bill through the secure checkout option (“self-checkout and payment processing system”). Therefore, it would be apparent to a person having ordinary skill in the art that the payment of the bill is captured by the secure checkout option.

PAYMENTS & GIFT CARDS

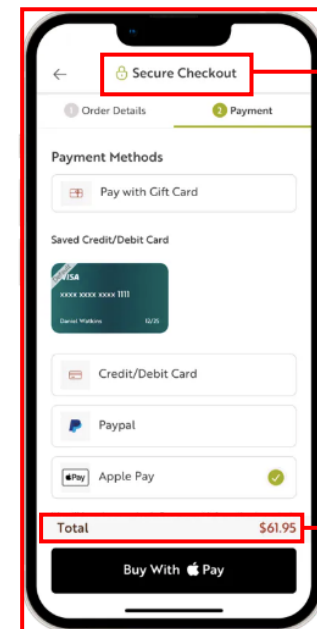
- Order faster and save your preferred payment
- Use, save and reload gift cards to your profile

CREATE AN ACCOUNT



Source: <https://www.olivegarden.com/app> (annotated)

Further, to the extent this element is performed at least in part by Defendant’s software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.



self -
checkout

bill

Exhibit 3 to the Complaint.

<p>[11.P] A system, comprising: a processor; and memory communicably coupled to the processor;</p>	<p>Olive Garden (“Company”) makes, uses, sells, and/or offers to sell a system comprising: a processor; and memory communicably coupled to the processor.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Company provides an Olive Garden application that is installed on various devices such as smartphones, and tablets (“system”). Further, the application allows users to perform various functionalities such as finding nearby Olive Garden locations, viewing menus, and making reservations. Therefore, it would be apparent to a person having ordinary skill in the art that the smartphone comprises a processor and a memory to store the application and execute the functionalities of the application.</p>
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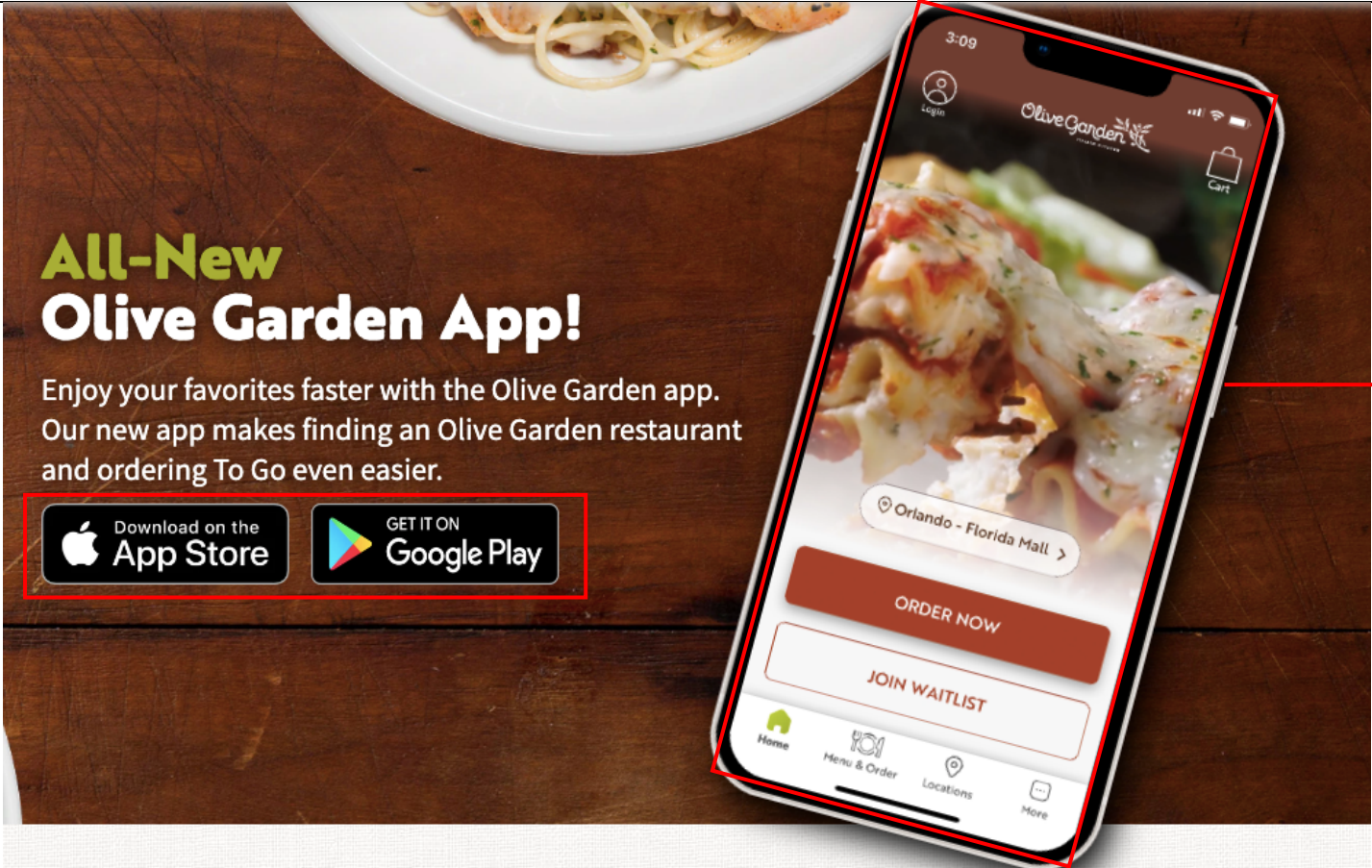
	 <p>All-New Olive Garden App!</p> <p>Enjoy your favorites faster with the Olive Garden app. Our new app makes finding an Olive Garden restaurant and ordering To Go even easier.</p> <p>Download on the App Store GET IT ON Google Play</p> <p>Source: https://www.olivegarden.com/app</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.</p>
[11.1] wherein the processor is	<p>Company provides a system wherein the processor is configured to: page a wireless-enabled handheld computer to notify at least one customer that a table at a restaurant is ready.</p>

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configured to: page a wireless enabled handheld computer to notify at least one customer that a table at a restaurant is ready;

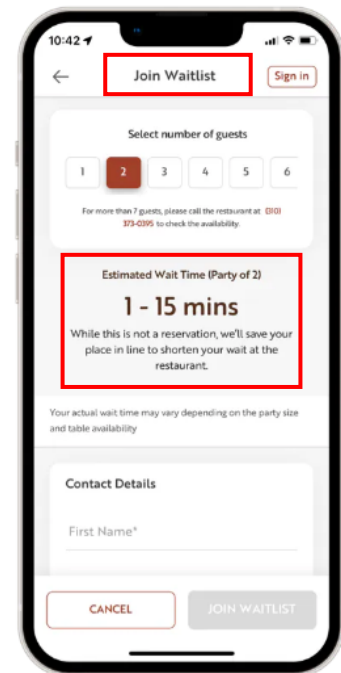
This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, the application installed in the smartphone (“wireless-enabled handheld computer”) allows the user to reserve a table in the restaurant which further places the user on the waiting list and shows the estimated waiting time according to the availability of the table. Therefore, upon information and belief, the user receives the notification that a table at the restaurant is ready when the estimated waiting time is completed.

JOIN THE WAITLIST

- Check the current wait times for your Olive Garden
- Quickly add your name to the waitlist
- When you arrive, check in with the host
- Your table may not be ready immediately upon arrival, but your spot on the waitlist will get you seated sooner

CHECK WAIT TIMES



Source: <https://www.olivegarden.com/app>

Further, to the extent this element is performed at least in part by Defendant’s software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.

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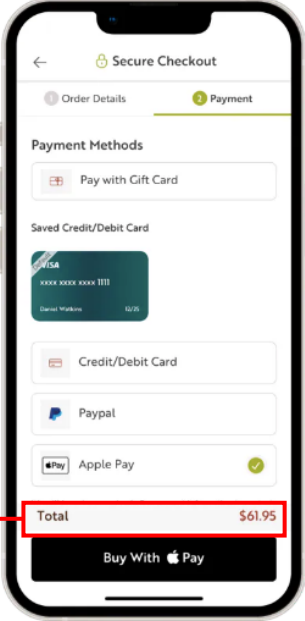
<p>[11.2] upload a bill for at least one selected item by the at least one customer to the wireless enabled handheld computer; and</p>	<p>Company provides a system to wherein the processor is configured to: upload a bill for at least one selected item by the at least one customer to the wireless enabled handheld computer.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the application allows the user (“customer”) to order a meal, and receive the bill for the meal (“upload a bill for at least one selected item”) through the application installed on the user’s smartphone.</p> <div data-bbox="436 678 1087 784"> <h2>PAYMENTS & GIFT CARDS</h2> <ul style="list-style-type: none"> • Order faster and save your preferred payment • Use, save and reload gift cards to your profile <div data-bbox="470 889 802 963"> <p>CREATE AN ACCOUNT</p> </div>  </div> <p>upload a bill for at least one selected item</p>  <p>Source: https://www.olivegarden.com/app (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant’s software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.</p>
<p>[11.3] receive payment of the bill from</p>	<p>Company provides a system to wherein the processor is configured to: receive payment of the bill from the wireless enabled handheld computer without interaction with staff associated with the restaurant.</p>

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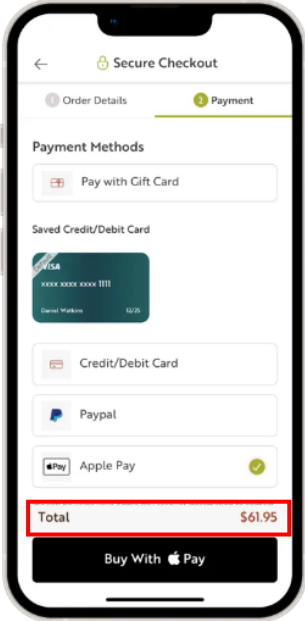
<p>the wireless enabled handheld computer without interaction with staff associated with the restaurant.</p>	<p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, once the user receives the bill, the application allows the user to pay the bill through the secure checkout option (“receive payment of the bill from the wireless enabled handheld computer”) where the user pays the bill without interaction with the staff associated with the restaurant.</p> <div data-bbox="436 613 1087 717"> <h2>PAYMENTS & GIFT CARDS</h2> <ul style="list-style-type: none"> • Order faster and save your preferred payment • Use, save and reload gift cards to your profile <div data-bbox="470 824 802 896"> <p>CREATE AN ACCOUNT</p> </div>  </div> <div data-bbox="1444 474 1747 1091">  </div> <p>Source: https://www.olivegarden.com/app (annotated)</p> <p>Further, to the extent this element is performed at least in part by Defendant’s software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.</p>
<p>[12] The system of claim 11, wherein the</p>	<p>Company provides the system of claim 11, wherein the processor is configured to store a digital receipt related to the payment of the bill in the memory.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p>

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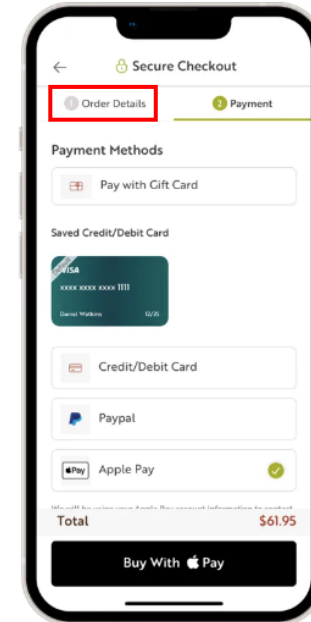
processor is configured to store a digital receipt related to the payment of the bill in the memory.

For example, the application allows the user to see the order details and pay the bill for the ordered items through the secure checkout method. Therefore, it would be apparent to a person having ordinary skill in the art that the processor in the smartphone is configured to store a digital receipt related to the payment of the bill in the memory.

PAYMENTS & GIFT CARDS

- Order faster and save your preferred payment
- Use, save and reload gift cards to your profile

CREATE AN ACCOUNT



Source: <https://www.siriusxmcvs.com/infotainment> (annotated)

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.

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2. List of References

1. <https://www.darden.com/>, last accessed on 22 December, 2023.
2. <https://www.olivegarden.com/app>, last accessed on 22 December, 2023.